

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : James Jannard et al. ) Group Art Unit 2873  
)  
Appl. No. : 10/628,831 ) I hereby certify that this correspondence and all  
Filed : July 28, 2003 ) marked attachments are being deposited with the  
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Examiner : Hung Xuan Dang ) Patents, P.O. Box 1450, Alexandria, VA 22313-  
 ) 1450, on  
 )  
 ) November 17, 2004  
 ) (Date)  
 )  
 ) Michael A. Giuliana, Reg. No. 42,611  
 )  
 )

## **RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement, Applicants elect Group II (Claims 14-25) for prosecution in the present application.

The present election is being made with traverse. Applicant submits that it is well established that:

If the search and examination of an entire application can be made without **serious burden**, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions.

M.P.E.P. § 803 (emphasis added).

A proper search for art related to the elected Group would necessarily include the classes and subclasses relevant to a search for the non-elected Group. Thus, examination

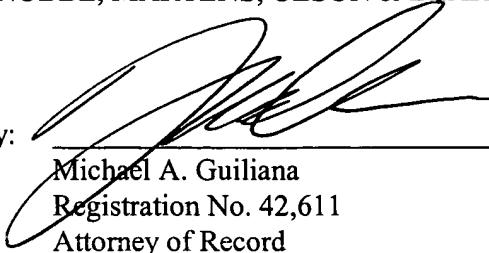
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of all the claims would not present "a serious burden" on the Examiner. Applicants therefore respectfully request that the present restriction requirement be withdrawn.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 17, 2004

By: 

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